

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

THE MENDHAM METHODIST CHURCH;  
and THE ZION LUTHERAN CHURCH  
LONG VALLEY,

Plaintiffs,

v.

MORRIS COUNTY, NEW JERSEY;  
MORRIS COUNTY BOARD OF COUNTY  
COMMISSIONERS; MORRIS COUNTY  
HISTORIC PRESERVATION TRUST FUND  
REVIEW BOARD; and JOHN KRICKUS, in  
his official capacity as Commissioner Director  
for the Morris County Board of County  
Commissioners,

Defendants.

No. 23cv2347 (EP) (JSA)

**ORDER**

Defendant-Intervenor the New Jersey Attorney General moves to stay this action under the *Pullman* abstention doctrine. D.E. 46 (“Motion to Stay”). Plaintiffs oppose and cross-move for a preliminary injunction enjoining Defendants from enforcing Section 5.6.4 (“Rule 5.6.4”) of the Morris County Historic Preservation Trust Fund Rules and Regulations to exclude the Plaintiffs from eligibility for funding pending a final resolution of this matter. D.E. 49 (“Cross-Motion for Preliminary Injunction”). Having reviewed the parties’ submissions and all other relevant items on the docket, and having held oral argument on this matter,

**IT IS**, on this 27<sup>th</sup> day of November, 2024, for the reasons set forth in the accompanying Opinion,

**ORDERED** that Defendant-Intervenor’s Motion to Stay, D.E. 46, is **DENIED**; and it is further

**ORDERED** that Plaintiffs' Cross-Motion for Preliminary Injunction, D.E. 49, is **GRANTED**; and it is finally

**ORDERED** that Defendants are **PRELIMINARILY ENJOINED** from enforcing Rule 5.6.4 to exclude Plaintiffs from eligibility for funding, or applying for funding, from the Morris County Historic Preservation Trust Fund, pending a final resolution of this matter.

A handwritten signature in black ink, appearing to read "Evelyn Padin", is written over a horizontal line.

Evelyn Padin, U.S.D.J.